

Ordinance No. _____, Series 2007

**AN ORDINANCE AMENDING CHAPTER 164, WITHIN
LOUISVILLE METRO CODE OF ORDINANCES (LMCO) TITLE
XV, TITLED "SYSTEM DEVELOPMENT CHARGES FOR
ROADWAYS."**

Sponsored by: Councilman Hal Heiner

**BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON
COUNTY METRO GOVERNMENT ("METRO COUNCIL") AS FOLLOWS:**

SECTION I. That Chapter 164 within Title XV of the Louisville Metro Code of Ordinances shall be amended as follows:

Section 164.16 Applicability

* * *

(C) Determination of Charge

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(5) (a) All new standard subdivision developments on Designated Roads that are not 18 feet in width and which are approved after the effective date of this Ordinance shall be allowed only one (1) single family residential home permit per five (5) acres (or the equivalent thereof in subdivisions with large acreages) prior to when the road and associated structures are widened to meet the requirements of all ordinances of the Louisville Metro Government.

(b) With the written prior permission of the System Development Charge Administrator, to meet the standards listed above, a developer may choose to improve a Designated Road and associated structures to meet the minimum 18-foot width requirement, rather than waiting until the road and associated structures are improved by the Louisville Metro Government. After the Designated Road is widened to at least 18 feet, the developer shall be entitled to obtain permits and build to the extent approved for the standard subdivision. In such case, the developer will be eligible for a full refund of the cost of roadway improvements, in accordance with the provisions of Section 164.35(B)(3), and the System Development Charge due for the development will be payable at the time building permits are requested.

In no case shall a developer be permitted to record lots in excess of one lot per five acres of the development site until such time as the Designated Road and associated structures is improved to meet all requirements of the Louisville Metro Government.

Section 164.17 Exemptions and Credits

(A) Permitted Exemptions and Credits

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(2) The following credits may be used to offset required charges under this Ordinance:

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(b) The contribution of land (not including frontage dedications), money, or services for the undertaking of construction or related activities for non-site related improvements to designated public streets and roads;

* * *

(4) Credits shall not be available for roadway improvements, or the contribution of land, money or services for the undertaking of construction or related activities for non-site related improvements to public streets and roads where those improvements or contributions are made to satisfy conditions of approval for a requested zoning map amendment.

Section 164.20 Establishment of Transportation Benefit Districts

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(C) Review Process

(1) There shall be established a System Development Charge Oversight Committee, which shall be responsible for reviewing the classification of roads as Designated or Non-Designated Roads, and the calculation of charges on a bi-annual basis.

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(2) The aforementioned bi-annual review will be completed in February and July ~~no~~
~~later than January 31~~ of each year.

Section II: This Ordinance shall take effect upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

Rick Blackwell
President of the Council

Jerry E. Abramson
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney

BY: _____